

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11-cv-144-RJC**

THIS MATTER is before the Court on period status review. On September 4, 2012, after conducting an initial review under 28 U.S.C. § 1915(e) of Plaintiff's civil rights action filed pursuant to 42 U.S.C. § 1983, this Court entered an Order directing the Clerk's office to mail summonses forms for Plaintiff to fill out so that the U.S. Marshal could effectuate service of process on the remaining Defendants. (Doc. No. 7). The Clerk's office mailed forms to Plaintiff on the same date, but Plaintiff has not returned the summons forms to the Clerk for service of process. This Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to prosecute. The dismissal is without prejudice.

IT IS, THEREFORE, ORDERED that:

1. This action is dismissed without prejudice.
2. The Clerk is directed to terminate the case.

Signed: May 17, 2013

Robert J. Conrad, Jr.